

Amendment:

Strike out all after the enacting clause and insert:

**SECTION 1. ADDITIONAL TEMPORARY EXTENSION OF AUTHORIZATION OF PROGRAMS UNDER THE SMALL BUSINESS ACT AND THE SMALL BUSINESS INVESTMENT ACT OF 1958.**

(a) IN GENERAL.—Section 1 of the Act entitled “An Act to extend temporarily certain authorities of the Small Business Administration”, approved October 10, 2006 (Public Law 109–316; 120 Stat. 1742), as most recently amended by section 1 of Public Law 111–66, is amended by striking “October 31, 2009” each place it appears and inserting “January 31, 2010”.

(b) EFFECTIVE DATE.—The amendments made by subsection (a) shall take effect on October 30, 2009.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from New York (Ms. VELÁZQUEZ) and the gentleman from Missouri (Mr. GRAVES) each will control 20 minutes.

The Chair recognizes the gentlewoman from New York.

GENERAL LEAVE

Ms. VELÁZQUEZ. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and include extraneous material on the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New York?

There was no objection.

Ms. VELÁZQUEZ. Mr. Speaker, I yield myself as much time as I may consume.

The legislation before us will extend the Small Business Administration's broad array of critical programs until the end of January. This will allow small businesses to go on using the valuable services of the SBA while the House and the Senate continue our work to comprehensively reauthorize the Small Business Administration.

Already this year we have made important progress toward reauthorizing the SBA. In May, the House passed legislation reauthorizing the agency's entrepreneurial development programs. In July, we approved a measure to update the Small Business Innovation Research Initiative. And later this week, the House will consider H.R. 3854, a bill to comprehensively update the SBA's capital access initiatives. Passing the bill before us today will let us complete our work on these measures and conference them with our counterparts in the Senate.

The SBA clearly needs to be modernized in order to meet today's challenges. I look forward to sending legislation to the President's desk that will bring all of these various initiatives up to date. In the meantime, this bill offers the appropriate amount of time to continue our work while ensuring the agency can continue serving small businesses.

I urge my colleagues to support this legislation.

I reserve the balance of my time.

Mr. GRAVES. Mr. Speaker, I rise today in support of the chairwoman's

request to suspend the rules and pass S. 1929, as amended.

The bill is very simple. It is a clean extension that prolongs the authorization of all programs authorized by the Small Business Act, the Small Business Investment Act, and any program operated by the Small Business Administration for which Congress has already appropriated the funds. This extension is going to last until January 31, 2010.

This extension is essential because the authorization of various programs operated by the SBA ceases on October 31, 2009. Over the past two Congresses, our committee has worked in a bipartisan fashion and reported out a number of bills to reauthorize and extend the programs operated by the SBA. Despite our efforts to come to terms with various differing aspects of our and the other body's legislation, the extension passed earlier this year will expire before the legislative process can run its course.

The work needed to help America's entrepreneurs revitalize the economy simply cannot be accomplished within the timeframe outlined in the current legislation. We not only need to reauthorize these critical programs, but also update them to respond to the reality that is the 21st century. The extra time contained in this legislation allows us to fully explore and implement the ideas that will give our Nation's entrepreneurs the tools they need to be successful.

Without enactment of this extension, a number of vital programs that the SBA operates would cease to function. Given the continued importance that small businesses play in the revitalization of the American economy, we cannot allow the SBA authorization to run out. Passage of this legislation will enable the House and Senate to continue to work in an industrious manner to address necessary changes to SBA programs.

I urge all of my colleagues to suspend the rules and pass S. 1929, as amended.

I reserve the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I yield 3 minutes to the gentleman from Oregon (Mr. WU).

Mr. WU. I thank the gentlelady.

Mr. Speaker, I rise in support of S. 1929, as amended by the House. We have been working diligently on reauthorizing key programs of the SBA, including the Small Business Innovative Research and the Small Business Technology Transfer programs.

While progress has been made, a temporary extension of SBA programs is necessary to provide more time for us to continue working and provide stability to the SBA. S. 1929, as passed by the Senate, would extend SBA programs through April 30, 2010.

While I believe it is important to provide stability for SBA, 6 months is simply too long of a time to extend the programs because we need to keep our focus on a comprehensive reauthorization of SBIR and STTR. By extending

the program for 6 months, we would delay this process. We would be putting off important work that needs to be done, such as permitting technology and venture capital participation in SBIR to a larger extent, changing grant sizes and other important things to turn the program into an innovation program as well as a small business program.

S. 1929, as amended by the House, will provide a 3-month extension that will provide stability to the SBA but also ensure that we continue to work expeditiously to pass reauthorization bills for SBIR and STTR.

I commend the chairwoman for her leadership on the Small Business Committee and working to keep small businesses in their important role as we work toward an economic recovery. Small business is the heart of our innovation economy, and we have to have the tools to keep them active and thriving in a 21st century economy.

Mr. GRAVES. Mr. Speaker, I yield back the balance of my time.

Ms. VELÁZQUEZ. Mr. Speaker, I urge a “yes” vote on this vote, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New York (Ms. VELÁZQUEZ) that the House suspend the rules and pass the bill, S. 1929, as amended.

The question was taken; and (two-thirds being in the affirmative) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

**ALLOWING FUNDING FOR THE INTEROPERABLE EMERGENCY COMMUNICATIONS GRANT PROGRAM**

Mr. BOUCHER. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1694) to allow the funding for the interoperable emergency communications grant program established under the Digital Television Transition and Public Safety Act of 2005 to remain available until expended through fiscal year 2012, and for other purposes.

The Clerk read the title of the bill.

The text of the bill is as follows:

S. 1694

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. PUBLIC SAFETY INTEROPERABLE COMMUNICATIONS GRANTS.**

(a) Notwithstanding section 3006(a)(2) of the Digital Television Transition and Public Safety Act of 2005 (47 U.S.C. 309 note), sums made available to administer the Public Safety Interoperable Communications Grant Program under section 309(j)(8)(E) of the Communications Act of 1934 (47 U.S.C. 309(j)(8)(E)) shall remain available until expended, but not beyond September 30, 2012.

(b) The period for performance of any investment approved under the Program as of the date of enactment of this Act shall be extended by one year, but not later than September 30, 2011, except that the Assistant

Secretary of Commerce for Communications and Information may extend, on a case-by-case basis, the period of performance for any investment approved under the Program as of that date for a period of not more than 2 years, but not later than September 30, 2012. In making a determination as to whether an extension beyond September 30, 2011, is warranted, the Assistant Secretary should consider the circumstances that gave rise to the need for the extension, the likelihood of completion of performance within the deadline for completion, and such other factors as the Assistant Secretary deems necessary to make the determination.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Virginia (Mr. BOUCHER) and the gentleman from Louisiana (Mr. CAO) each will control 20 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. BOUCHER. Mr. Speaker, I yield myself such time as I may consume.

(Mr. BOUCHER asked and was given permission to revise and extend his remarks.)

Mr. BOUCHER. Mr. Speaker, before the House today is Senate 1694, a measure to enable funding for the Interoperable Emergency Communications Grant Program to remain available through fiscal year 2012. In the absence of this measure, the funds for the program could not be expended by the recipients of grants under the program after the end of this year.

The bill before the House has been approved in the other body, and it is identical to House bills previously introduced by the gentlelady from California (Ms. HARMAN) and by the gentleman from Louisiana (Mr. CAO). The bill extends the Public Safety Interoperable Communications Grant Program that is jointly administered by the U.S. Department of Commerce through the National Telecommunications and Information Administration and by the U.S. Department of Homeland Security.

The funds, which are awarded as grants to first responders under the program, derive from proceeds of the auction by the Federal Communications Commission of the 700 megahertz spectrum, which became available as TV broadcasters ceased their analog television broadcasts in association with the digital television transition. The program had its genesis in recommendations by the 9/11 Commission concerning the well-acknowledged shortcomings in interoperable communications capabilities among first responders nationwide.

As required by law, the Department of Commerce's Office of the Inspector General conducted an annual assessment of that Department's management of this grant program. It found that the NTIA within the Department of Commerce had met the statutory guidelines and requirements for making awards and for reviewing and approving the grantees' communications plans, but the Office of Inspector General also found that the congressional deadline which exists in current law

had not allowed the States a sufficient amount of time within which by the end of this year to expend the grant funds that they receive under this program. That inability of States to expend all of these moneys by the end of this year is what necessitates the passage of the measure that is before us today.

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Ms. HARMAN's measure was approved by the Subcommittee on Communications, Technology, and the Internet of our House Energy and Commerce Committee on the 8th of October, and her measure was approved by the full committee on October 15. It has been endorsed by, among others, the National Governors Association, the Major Cities Chiefs Association, the Association of Public-Safety Communications Officials—International, the Telecommunications Industry Association, the National Emergency Management Association, and mayors of the cities of New York, Houston, and Los Angeles. S. 1694 passed the other body by unanimous consent on October 14, and we're taking up the Senate measure today so that upon approval in the House, it can go directly to the President for signature without further delay.

I want to say thank you this morning to the gentleman from Florida (Mr. STEARNS), who is the ranking Republican member of the Subcommittee on Communications, Technology, and the Internet, and also the gentleman from Texas (Mr. BARTON), who is the ranking member on our full committee, for the bipartisan manner in which we have processed the legislation through the Energy and Commerce Committee. I commend both Ms. HARMAN and Mr. CAO for their leadership.

Mr. Speaker, with the conclusion of these comments, I reserve the balance of my time.

Mr. CAO. Mr. Speaker, I yield myself such time as I may consume.

(Mr. CAO asked and was given permission to revise and extend his remarks.)

Mr. CAO. Mr. Speaker, S. 1694, with an identical version in the House, H.R. 3633 and H.R. 3348, is an important bill because it would provide an additional 2 years for public safety officials, first responders, and firefighters to use communications grants. This will help many districts, especially ones like mine, where officials are still replacing and upgrading equipment. Only people who have lived through the horrors such as Katrina realize the importance of this grant.

After Katrina, much of the communications systems in the Second Congressional District and throughout southeast Louisiana were down for a period of several weeks. First responders were trying to save lives and trying to fight crime, while at the same time they were unable to communicate with one another. So, with this grant, it will provide cities such as New Orleans the time to rebuild their emergency oper-

ations centers. That includes replacing the building in which they were housed as well as replacing an entire interoperable system. Some emergency personnel are still using radios on loan from FEMA 4 years after the storm because, without an extension, the Public Safety Interoperable Communications Grant Program would have expired next year. My district could not fully take advantage of it.

Other areas in the Gulf Coast and Midwest that were struggling to rebuild after disasters were also having trouble completing or even applying for communications grants because of the short window of the program. It became clear that the need for this program extended beyond those areas when we began to receive calls and letters of support from States like Vermont, Montana, Texas, and California, who all voiced the same concern—they needed more time to use these grants, and they needed Congress' help.

The International Association of Fire Fighters, National Emergency Management Association, and Association of Public Safety Officials all lent their support to this effort. I would like to thank them for helping get this bill up for a vote.

I would also like to thank the staff on the Energy and Commerce Committee for their fast, bipartisan work on getting this bill to the floor, and I would also like to extend my thanks to the gentlewoman from California, Congresswoman JANE HARMAN, who took the initiative to file H.R. 3633 when there was a slim chance that my own bill, H.R. 3348, would have a chance of passing. So I would like to thank her for her initiative in making sure that this important extension gets passed so that we can help people who need help.

I would also like to thank my colleagues on the floor who have shown the bipartisan support and spirit to support this bill today.

Mr. Speaker, it doesn't seem that I have any other speakers, so I will yield back the balance of my time.

Mr. BOUCHER. Mr. Speaker, I recognize myself for 2 minutes.

Let me again thank the gentleman from Louisiana and the gentlewoman from California (Ms. HARMAN) for bringing this measure before us today. It is a bipartisan measure.

It is necessary that we pass this legislation in order to assure that first responders are able to expend the funds that are awarded to them under the Emergency Communications Grant Program. That program expires at the end of this year, and the Inspector General at the Department of Commerce found that awardees under that program simply within that timeframe do not have the time necessary in order to make good on these grants and expend those for communications equipment. So by extending this program until the end of fiscal year 2012, we provide the time that is necessary.

It is appropriate legislation, completely bipartisan, and I encourage that the House adopt this bill.

Ms. ESHOO. Mr. Speaker, I rise today in support of S. 1694, the Extension of Public Service Interoperability Communications, PSIC, Grant Program, and I'm proud to be one of the first to have cosponsored this important piece of legislation. I thank my colleague from California, Ms. HARMAN, for her hard work in helping to create the PSIC program and for her support of public safety funding.

The funds available under these PSIC grants must have a more flexible timeline so that our public safety agencies can take full advantage of this program and develop interoperability plans that work for their communities. These funds are essential to public safety interoperability plans nationwide.

I've long supported funding for public safety interoperability, both as a member of the Energy and Commerce Committee and in my role as Co-Chair of the E911 Caucus.

First Responders must have the best resources available to them during a crisis. Just as importantly, different emergency agencies must have the ability to communicate with one another to provide essential information. The inability to communicate could have life or death consequences. We knew this hard fact long before 9/11/2001, but we saw it demonstrated in the starkest terms on that day. We should never have to say "what if?" We must take the question mark out of interoperable communications and ensure that we have efficient systems in place as soon as possible.

It's been over eight years since we learned the important lessons, of September 11, but we're still taking the initial steps toward interoperability. These grants are just the tip of the iceberg. We need to develop more funding resources and encourage the rapid deployment of available spectrum for public safety interoperability. I'm committed to making certain that we have adequate spectrum rollout for this purpose and I support funding initiatives that will provide interoperability opportunities throughout the nation.

Thank you again for your personal commitment to keeping our first responders and all Americans safe.

Mr. WELCH. Mr. Speaker, I want to thank Representative HARMAN for introducing legislation to provide additional time for states to utilize federal grants made available through the Public Safety Interoperable Communications Grant Program, PSIC. I am proud to be a sponsor of this legislation and commend her for her ongoing leadership on this critical issue.

The PSIC grant program funds state projects that provide public safety personnel with interoperable communications equipment and training for system users. The Act appropriated \$1 billion for the program from the proceeds of the auction of analog spectrum reclaimed by the digital television transition.

In our current fiscal environment, public safety needs this assistance more than ever. Unfortunately, under current law, funding for these critical interoperability projects will expire in September 2010.

Given the enormous importance of interoperable public safety communications during times of crisis, we need to allow states the time and funds necessary to complete projects already underway or in planning stages. If

adopted, Representative HARMAN's legislation will provide this necessary time.

S. 1694 represents the best approach to this problem because (1) it minimizes the regulatory burden on public safety; (2) it creates incentives for public safety to act quickly and (3) it protects public money. More specifically:

The proposed legislation allows all States an automatic one-year extension. This will reduce the regulatory burden on states associated with individual extension requests. Some states may not need more than a year and they can avoid filing an extension request altogether.

The automatic one-year extension also incentivizes States that are on track for completion to complete work rapidly so they do not have to go through the extension request process.

But those States that need more than one year to complete projects will have the flexibility to request an additional year if the head of NTIA determines that their circumstances warrant an extension.

The criteria enumerated in the proposed legislation will ensure that the Assistant Secretary's decisions are based on a complete evaluation of the extension request. This discretion allows the Assistant Secretary to protect public money and ill-advised or mismanaged projects may not be eligible for continued funding.

S. 1694 has widespread support. A number of organizations, including the National Governor's Association and the Association of Public Communications Officers, APCO, have all expressed support for Representative HARMAN's bill.

Representative HARMAN's bill is identical to a bipartisan measure introduced in the Senate by Senators ROCKEFELLER and HUTCHISON. If we pass this bill today we have a decent chance of making this extension happen in time for public safety to plan and budget accordingly.

One of the painful lessons our nation learned in the aftermath of the terrorist attacks of September 11 from the response to Hurricane Katrina was how critical it is for first responders to be able to communicate seamlessly with one another when responding to an emergency. This is as true in a city like LA as a rural state like Vermont, where emergency personnel are sparse in many parts of the state and it is often necessary for multiple jurisdictions to work together when responding to a call. If we are going to ask our first responders to put their lives on the line and work together to protect us, we must provide them with the tools they need to do their jobs effectively.

I urge my colleagues on both sides of the aisle to join me in supporting this important legislation.

Mr. THOMPSON of Mississippi. Mr. Speaker, today I rise in support of legislation, S. 1694, offered by Ms. HARMAN. This bipartisan bill is critical to promoting interoperable emergency communications capabilities for the Nation's first responders. This important piece of legislation provides our Nation's first line of defense with the tools and equipment necessary to carry out their life-saving responsibilities.

As Chairman of the Committee on Homeland Security, it remains unsettling that most of the public safety communications failures uncovered during the terrorist attacks on 9/11

and Hurricane Katrina in 2005 still exist today. Those tragic events will forever be engrained in the minds of every American. We learned a shattering lesson from those major incidents: that when our Nation's first responders cannot communicate during a manmade or natural disaster, lives are lost.

Today, we have the opportunity to act with what Reverend Dr. Martin Luther King, Jr. coined as, "the fierce urgency of now." Interoperable communications—the ability of emergency responders to communicate in real-time, when needed, and as authorized—remains an unaccomplished goal. Therefore, we must commit to the American people that we will do our due diligence and address the daily challenges—both human and technological—that first responders face with interoperable emergency communications post-haste.

I would like to applaud Ms. HARMAN for her leadership in the effort to bring our nation's first responders one step closer to achieving interoperable communications by closing a loophole in the Public Safety Interoperable Communications, PSIC, grant program.

Specifically, S. 1694, which is a companion bill to H.R. 3633, appropriately extends next year's statutory deadline to spend PSIC grant funds to September 30, 2012. The PSIC program is an important grant program for the public safety community and has provided nearly \$1 billion of funding to state and local to purchase equipment, deploy new communications systems, and train personnel.

As a condition to receive grants under the PSIC program, states and local governments must develop Statewide Communications Interoperability Plans, SCIPs. The Department of Homeland Security faced delays in approving the SCIPs, creating the challenge for state and local grantees to spend the grant funds by the end of next year.

S. 1694 makes an important change and gives grantees the much needed time and flexibility to do their due diligence and avoid wasteful spending. This bipartisan bill allows for state and local governments to properly invest in public safety communications systems that will achieve the goal of implementing nationwide interoperability.

I support S. 1694 and urge my colleagues to join me in this supporting our Nation's first responders.

Mr. BOUCHER. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Virginia (Mr. BOUCHER) that the House suspend the rules and pass the bill, S. 1694.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. CAO. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### GENERAL LEAVE

Mr. BOUCHER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within